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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

Civil Case No. C 08-00227 SC

ASSOCIATION OF IRRIGATED  
RESIDENTS, an unincorporated association,  
and NATURAL RESOURCES DEFENSE  
COUNCIL, INC.,

Plaintiffs,

v.

UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY, STEPHEN L.  
JOHNSON, in his official capacity as  
Administrator of the United States  
Environmental Protection Agency, and  
WAYNE NASTRI, in his official capacity as  
Regional Administrator for Region IX of the  
United States Environmental Protection  
Agency,

Defendants.

**STIPULATION TO THE ENTRY OF  
AN ORDER EXTENDING TIME TO  
CONTINUE INITIAL DISCOVERY  
AND CASE MANAGEMENT  
CONFERENCE**

1 WHEREAS, on January 14, 2008, the Association of Irrigated Residents and the Natural  
2 Resources Defense Council, Inc., (collectively, "Plaintiffs") filed the complaint in the above-  
3 captioned matter against the United States Environmental Protection Agency; Stephen L.  
4 Johnson, in his official capacity as Administrator of the United States Environmental Protection  
5 Agency; and Wayne Nastri, in his official capacity as Administrator for Region IX of the United  
6 States Environmental Protection Agency (collectively, "EPA" or "Defendants"), alleging that  
7 EPA has failed to undertake certain nondiscretionary duties under section 304(a)(2) of the Clean  
8 Air Act, 42 U.S.C. § 7604(a)(2);

9 WHEREAS, Plaintiffs and EPA currently have a settlement in principle, the agreement  
10 for which the parties intend to be entered through a Consent Decree;

11 WHEREAS, Plaintiffs and EPA believe they will need approximately 30 days from  
12 today's date to lodge a proposed Consent Decree with this Court, which must first be approved  
13 by authorized officials at the U.S. Department of Justice and EPA, a process that can take several  
14 weeks;

15 WHEREAS, Plaintiffs and EPA agree and acknowledge that at least 30 days before any  
16 final settlement of this matter is reached and/or entered by the Court, EPA must provide notice of  
17 such settlement in the Federal Register and an opportunity for public comment pursuant to  
18 section 113(g) of the Clean Air Act, 42 U.S.C. § 7413(g);

19 WHEREAS, Plaintiffs and EPA previously stipulated to a continuance, however, in light  
20 of the settlement in principle, Plaintiffs and EPA seek to conserve litigant and Court resources  
21 and believe that the requested extensions below will not adversely affect the schedule or  
22 resolution of this case;

23 NOW THEREFORE, pursuant to Local Rules 6-2 and 7-12, the parties, by and through  
24 their undersigned counsel, hereby stipulate to the entry of an order that:

25 1. Continues the parties' deadline to meet and confer regarding initial disclosures,  
26 early settlement, ADR process selection and certification, and discovery planning from May 23,  
27 2008 to July 11, 2008;

2. Continues the parties' deadline to file initial disclosures, a Case Management Statement, and a Rule 26(f) Report from June 6, 2008 to July 25, 2008;

3. Continues the initial case management conference from June 13, 2008 to August 1, 2008.

**COUNSEL FOR PLAINTIFFS:**

Dated: \_\_\_\_\_

/s/  
\_\_\_\_\_  
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Dated: \_\_\_\_\_

/s/  
\_\_\_\_\_  
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**COUNSEL FOR DEFENDANTS:**

Dated: \_\_\_\_\_

RONALD J. TENPAS  
Assistant Attorney General  
Environment & Natural Resources Division

/s/  
\_\_\_\_\_  
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*Counsel for Defendants*

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: \_\_\_\_\_

U.S. District Court Judge